



PATENT
Customer No. 22,852
Attorney Docket No. 01288.0016

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
CAROLYN ELIZABETH LISTER et al.) Group Art Unit: 1638
Serial No.: 09/890,064) Examiner: Georgia L. Helmer, Ph.D.
Filed: October 31, 2001) Confirmation No.: 4565
For: TRANSFORMATION AND)
REGENERATION OF ALLIUM)
PLANTS) **SMALL ENTITY**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(d)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(d), Applicants bring to the attention of the Examiner the document on the attached listing. This Information Disclosure Statement is being filed after a Final Action and is accompanied by a fee of \$180.00 as specified under § 1.17(p) and a certification as specified under § 1.97(e). Applicants respectfully request that the Examiner consider the listed document and indicate that it was considered by making appropriate notations on the attached form.

Based on reasonable inquiry, no document listed in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and no document listed in this Information Disclosure Statement was known to any individual

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designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing date of this Information Disclosure Statement.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claims in the application and Applicants determine that the cited document does not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: March 24, 2005

By:



M. Andrew Holtman
Reg. No. 53,032

IDS Form PTO/SB/08; Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	09/890,064
				Filing Date	October 31, 2001
				First Named Inventor	Carolyn Elizabeth Lister
				Art Unit	1638
				Examiner Name	Georgia L. Helmer, Ph.D.
Sheet	1	of	1	Attorney Docket Number	01288.0016

U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS

Note: Copies of the U.S. Patent Documents are not Required in IDS filed after October 21, 2004

FOREIGN PATENT DOCUMENTS

Examiner Initials ¹	Cite No. ²	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				

NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation ⁶
		EADY et al., Agrobacterium tumefaciens-mediated transformation of leek (<i>Allium porrum</i>) and garlic (<i>Allium sativum</i>), <i>Plant Cell Reports</i> , DOI 10.1007; 1/12/05	

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.